

HOUSE BILL 89

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 71,
Chapter 3, Part 5, relative to child care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-507(a)(2)(C), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(C) The person or entity with which a person subject to subdivision (a)(1) will be or is associated shall be responsible for obtaining and submitting the fingerprint sample, as directed by the department, and any information necessary to process the fingerprint-based background reviews and reviews required by this section prior to the person's assumption of any role described in subdivision (a)(1). If the person is not employed directly by a licensed child care agency but is employed by a substitute pool or staffing agency and assigned to work as a substitute employee at a licensed child care agency, then the substitute pool or staffing agency is responsible for obtaining and submitting the fingerprint sample, as directed by the department, and any information necessary to process the fingerprint-based background reviews and reviews required by this section prior to the person's assumption of any role described in subdivision (a)(1) at a licensed child care agency.

SECTION 2. Tennessee Code Annotated, Section 71-3-507(b)(1), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(1) The disclosure form and information contained on the form obtained pursuant to this section, together with the fingerprints of the person, shall be submitted by the child care agency for its applicants, licensees, operators, substitutes, or residents, and by the department for its applicants, to the appropriate department staff or state

contractors providing fingerprinting services, in the format required by the department and the TBI. A substitute pool or staffing agency assigning persons to work as substitute employees at a licensed child care agency shall submit the disclosure form for such persons. The department or contractor shall transmit the necessary information to the TBI for completion of the fingerprint-based background review of criminal records and juvenile records that are available to the TBI.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.